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6 UNITED STATES DISTRICT COURT
7 WESTERN DISTRICT OF WASHINGTON
8 AT SEATTLE

9 UNITED STATES OF AMERICA,
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11 Plaintiff,
12 v.
13 DAVID HERNANDEZ-ESTRADA,
14 Defendant.

Case No. 2:19-CR-237-RSL

ORDER GRANTING
MOTION TO CONTINUE
TRIAL

15 This matter comes before the Court on a “Stipulated Motion to Continue Trial.” Dkt.
16 #24. Having considered the facts set forth in the motion, and defendant David Hernandez-
17 Estrada’s knowing and voluntary waiver, the Court finds as follows:

18 1. The Court adopts the facts set forth in the motion; specifically, that the nature of
19 this case is complex, and that defense counsel needs additional time to review the discovery
20 provided by the government and to prepare for trial. The Court accordingly finds that a failure
21 to grant a continuance would deny counsel, and any potential future counsel, the reasonable time
22 necessary for effective preparation, taking into account the exercise of due diligence, within the
23 meaning of 18 U.S.C. § 3161(h)(7)(B)(iv).
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25 2. The Court finds that a failure to grant a continuance would likely result in a
26 miscarriage of justice, as set forth in 18 U.S.C. § 3161(h)(7)(B)(i).
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3. The Court finds that the additional time requested between January 21, 2020, and the proposed trial date of July 27, 2020 is a reasonable period of delay, as this case is complex and defense counsel needs additional time to review discovery. The Court finds that this additional time is necessary to provide defense counsel reasonable time to prepare for trial, considering all the facts set forth above.

4. The Court further finds that this continuance would serve the ends of justice, and that these factors outweigh the best interests of the public and defendant in a speedier trial, within the meaning of 18 U.S.C. § 3161(h)(7)(A).

5. Defendant has signed a waiver indicating that he has been advised of his right to a speedy trial and that, after consulting with counsel, he has knowingly and voluntarily waived that right and consented to the continuation of his trial to a date up to and including August 10, 2020, Dkt. #25, which will permit trial to start on July 27, 2020, per the parties' request.

IT IS HEREBY ORDERED that the trial date be continued from January 21, 2020 to July 27, 2020.

IT IS FURTHER ORDERED that the pretrial motions deadline be continued to June 22, 2020.

IT IS FURTHER ORDERED that the period of time from the current trial date of January 21, 2020, up to and including August 10, 2020, shall be excludable time pursuant to 18 U.S.C. § 3161, *et seq.* The period of delay attributable to this filing and granting of this motion is excluded for speedy trial purposes pursuant to 18 U.S.C. §§ 3161(h)(1)(D), (h)(7)(A), and (h)(7)(B).

DATED this 12th day of December, 2019.

Mr S Casnik

Robert S. Lasnik
United States District Judge